

RENTON CITY COUNCIL
Regular Meeting

June 1, 2009
Monday, 7 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Law called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

RANDY CORMAN, Council President; GREG TAYLOR, RICH ZWICKER, TERRI BRIERE, KING PARKER, DON PERSSON, MARCIE PALMER.

**CITY STAFF IN
ATTENDANCE**

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; JASON SETH, Deputy City Clerk; GREGG ZIMMERMAN, Public Works Administrator; ALEX PIETSCH, Community and Economic Development Administrator; IWEN WANG, Finance and Information Services Administrator; MARTY WINE, Assistant CAO; PREETI SHRIDHAR, Communications Director; DEPUTY CHIEF MARK PETERSON, Fire Department; COMMANDER KATIE MCCLINCY, Police Department.

SPECIAL PRESENTATION
City Clerk: Federal & Comcast
Digital Television Transitions

Assistant Chief Administrative Officer Wine introduced Terry Davis, Director of Regional Affairs for Comcast. Mr. Davis reported that broadcasters including KOMO, KING, KONG, KIRO, and KCPQ are switching their signals from analog to digital and stated that Comcast is ready for the transition.

Mr. Davis reported that Comcast is in the process of reclaiming their analog channels in an effort to expand services within their cable products. He explained that 40 channels are currently maintained in both analog and digital and that the analog channels will be reclaimed so that the bandwidth can be utilized for other services. He stated that more high definition channels and faster internet speeds will be offered when the migration is completed. Mr. Davis announced that the 40 analog channels will be removed in two groups of 20 with the first group cut during the week of September 28, and the second group cut the week of October 19. He acknowledged that there will likely be an increase in service calls after the first cut of channels is made.

Mr. Davis reported that Comcast's Limited Basic Cable subscribers will not be impacted by the change. He explained that the channels these customers receive will remain analog. Mr. Davis stated that Expanded Basic Cable subscribers are affected the most by the digital transition. He explained that these customers will be provided one two-way digital box and three one-way digital converter boxes for their existing television sets at no additional cost. He pointed out that customers may rent additional devices if required. Mr. Davis stated that Digital Cable subscribers already have the required equipment to receive the digital signals but may need additional one-way digital converter boxes for additional television sets. He indicated that customers should prepare for the digital migration by visiting www.comcast.com/digitalnow on the internet or by calling 1-800-COMCAST (266-2278).

Discussion ensued regarding modern flat screen televisions, cable cards, Comcast availability within newly annexed areas, and reported signal problems with Renton Channel 21 in certain areas of the City.

AUDIENCE COMMENT
Citizen Comment: Roberts -
Waste Management Rates for
Multi-Family Units

Paul Roberts (Renton) expressed concern regarding the lack of communication from the City regarding the solid waste rate increase for condominium complexes. He also requested that Council consider billing condominium owners individually.

Citizen Comment: Peters - Waste Management Rates for Multi-Family Units	Craig Peters (Renton) voiced support for individual billing of condominium owners. He explained that customers who are billed individually can control their container size, arrange for missed pick-ups, and can cancel their service when they are out of town.
Citizen Comment: Asbjornsen - Waste Management Rates for Multi-Family Units	Jan Asbjornsen (Renton) voiced concern regarding the solid waste increase for her condominium complex. She stated that she did not receive notice of the increase and reported that she had inquired about rate increases and was told that there would not be an increase. She also stated that her complex does not have space for additional carts and requested that Council consider billing owners individually.
Citizen Comment: Johnson - Waste Management Rates for Multi-Family Units	Ben Johnson (Renton) stated that a solid waste customer who uses a 20-gallon container pays approximately 25 cents per gallon per year, a 96-gallon user pays 22 cents per gallon per year, a commercial 96-gallon user pays 13 cents per gallon per year, and a commercial 8-yards user pays only 8 cents per gallon per year. He opined that residential and condominium accounts may be subsidizing commercial accounts. He pointed out that the opposite is true for water and electricity, noting that an initial amount of water or kilowatts is cheaper than the rest to promote conservation. He requested that Council consider leveling the rate disparity between residential and heavy commercial solid waste rate payers.
Citizen Comment: Grillo - Waste Management Rates for Multi-Family Units	Mike Grillo (Renton) stated that most condominium owners have their cans picked up individually and opined that being billed that way would allow owners the opportunity to control the size of their containers.
Citizen Comment: Cook - Waste Management Rates for Multi-Family Units	Jeanette Cook (Renton) stated that her largest concern with the solid waste issue is that condominium owners are considered commercial accounts. She remarked that as a commercial customer she is not allowed to make changes to her service. She expressed concern over the lack of information she received regarding the rate increase and also requested that Council consider billing owners individually.
Citizen Comment: Marsh - Waste Management Rates for Multi-Family Units	Kirsti Marsh (Renton) requested that Council consider individually billing condominium owners. She opined that residents will want to be classified as individuals and not as commercial accounts in the future.
Citizen Comment: McOmber - Sidewalk Repairs & Townhall Style Meeting in Renton Highlands	Howard McOmber (Renton) presented a photograph of a damaged sidewalk in the Renton Highlands and stated that the City's Code Enforcement Officers are determining who is responsible for repairing the sidewalk. He requested a townhall style meeting be conducted in the Highlands to afford citizens an opportunity to communicate with City officials and staff.
Citizen Comment: Wolk - Waste Management Rates for Multi-Family Units	Ray Wolk (Renton) remarked that picking up 41 containers in a small condominium complex is easier than in a large neighborhood and therefore should be cheaper. He also stated that bi-weekly garbage pick-up would reduce the amount of dump fees associated with condominium complexes. Mr. Wolk also questioned how a \$66,000 deficit could occur if the rates were reduced for condominium customers. Mayor Law stated that the City is obligated to pay Waste Management the higher rate and would absorb the loss until a new agreement could be negotiated.
Citizen Comment: Livingston - Waste Management Rates for Multi-Family Units	Jerry Livingston (Renton) remarked that condominium complexes do not generate yard waste and do not have space for additional containers. He stated that his main objection is that condominium owners are classified as commercial accounts and also voiced concern over the lack of notification regarding the rate increase.

Citizen Comment: Belenky -
Waste Management Rates for
Multi-Family Units

Aaron Belenky (Renton) stated that his condominium complex was not informed of the rate increase. He remarked that he reviewed the 9/22/2009 presentation to Council regarding the new solid waste contract and did not find any information about the rate increase. He also voiced concern regarding the classification of condominium owners as commercial accounts.

(See pages 159 and 160 for more information regarding this topic.)

CONSENT AGENDA

Items listed on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of
5/18/2009

Approval of Council Meeting minutes of 5/18/2009. Council concur.

CAG: 09-084, Seismic Retrofit
of Renton Fire Station #11,
Landon Construction Group

City Clerk reported bid opening on 5/19/2009 for CAG-09-084, Seismic Retrofit of Renton Fire Station #11, eight bids; engineer's estimate \$613,899; and submitted staff recommendation to award the contract to the low bidder, Landon Construction Group, LLC, in the amount of \$431,639.15. Council concur.

Community Services: Renton
River Days Fee Waivers

Community Services Department requested authority to waive all fees and charges for 2009 Renton River Days activities endorsed by the Renton River Days Board of Directors. Council concur.

Community Services: 4th of
July Title Sponsorship,
Transwestern Harvest
Lakeshore

Community Services Department recommended approval of a contract with Transwestern Harvest Lakeshore, LLC dba "The Landing" to receive \$75,000 for title sponsorship for the 2009 through 2011 City of Renton 4th of July events. Council concur.

Human Services: CDBG-R &
CDBG Funds Allocation

Community Services Department requested authorization to utilize \$187,932 in combined Community Development Block Grant Recovery (CDBG-R) funds and unallocated Community Development Block Grant (CDBG) funds to upgrade approximately 51 City traffic signals/pedestrian crossings to light emitting diode (LED) fixtures, saving approximately \$26,265 annually in energy costs. Council concur.

Legal: Automated Traffic
Safety Camera Signage

Legal Services Division recommended adopting an ordinance adding new provisions relating to automated traffic safety camera signage. Council concur. (See page 160 for ordinance.)

Transportation: 2010 - 2015
TIP

Transportation Systems Division submitted the annual update of the Six-Year Transportation Improvement Program (TIP) and Arterial Street Plan. Refer to Transportation (Aviation) Committee; set public hearing on 6/22/2009 to consider the TIP.

CAG: 08-066, Logan Ave N
Bike Lane & Channelization
Revision, Rodarte
Construction

Transportation Systems Division submitted CAG-08-066, Logan Ave. N. Bike Lane and Channelization Revision; and requested approval of the project, authorization for final pay estimate in the amount of \$22,008.65, commencement of a 60-day lien period, and release of retained amount of \$17,225.02 to Rodarte Construction, Inc., contractor, if all required releases are obtained. Council concur.

Transportation: S 3rd St &
Shattuck Ave S Intersection
Safety Improvements, David
Evans & Associates

Transportation Systems Division recommended approval of a contract in the amount of \$44,750 with David Evans and Associates, Inc. for services related to the S. 3rd St. and Shattuck Ave. S. Intersection Safety Improvements project. Council concur.

CAG: 06-069, Rainier Ave
Arterial Improvements, Sound
Transit

Transportation Systems Division recommended approval of an addendum to CAG-06-069, agreement with Sound Transit, to describe the commitments of the parties relative to the Rainier Ave. Arterial Improvements project. Council concur.

Transportation: Railroad
Improvements Reimbursement
Commitment, WSDOT

Transportation Systems Division recommended approval of an agreement with the Washington State Department of Transportation formalizing reimbursement commitments for railroad improvement costs incurred at Rainier Ave. S., Hardie Ave. SW, and Shattuck Ave. S. Council concur.

SAD: Baxter Lift Station
Replacement

Utility Systems Division requested authorization to establish the Baxter Lift Station Replacement Special Assessment District, waive preliminary assessment requirements, and approve the final assessment. Refer to Utilities Committee.

Utility: Opportunity Funds
Agreement, King County
Flood Control Zone District

Utility Systems Division recommended approval of an interlocal agreement with King County Flood Control Zone District for transfer of Opportunity Funds for City flood control projects. Council concur. (See page 160 for resolution.)

MOVED BY CORMAN, SECONDED BY TAYLOR, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

UNFINISHED BUSINESS

Solid Waste: Waste
Management Rates for Multi-
Family Units

MOVED BY CORMAN, SECONDED BY ZWICKER, COUNCIL CONCUR WITH THE ADMINISTRATION'S RECOMMENDATION REGARDING SOLID WASTE RATES (ESTABLISHING INTERIM RATES AND CREDITS FOR MULTI-FAMILY COMMERCIAL CART CUSTOMERS FOR 2009 AND A NEW CUSTOMER CLASS AND RATE ANALYSIS FOR 2010 AND BEYOND).*

Councilmember Briere requested that the issue be held an additional week to review the new rate information and concerns voiced by members of the community.

Council discussion ensued regarding the fairness of charging different rates for different customer classifications, disrupting other ratepayers, prolonging versus resolving the issue, providing immediate relief, rebates, and budget certainty for affected customers, billing condominium owners individually, commercial account classifications, possibly creating a taskforce regarding the issue, and applying rate reduction and credits only to 2009.

*MOTION CARRIED. (See page 160 for ordinance.)

Solid Waste: Individual Billing
for Condominium Owners

MOVED BY ZWICKER, SECONDED BY PARKER, COUNCIL REFER THE ISSUE OF SOLID WASTE BILLING (INDIVIDUAL BILLING FOR CONDOMINIUM OWNERS) TO THE UTILITIES COMMITTEE. CARRIED.

Utilities Committee

Latecomer Agreement: Gill,
NE 7th Pl, LA-09-001

Utilities Committee Chair Zwicker presented a report recommending concurrence in the staff recommendation to grant preliminary approval of the request for a latecomer agreement from Daljit Singh Gill and Hardip Singh Gill for a period of two (2) years. The application for a latecomer's agreement was submitted to recover a portion of the \$93,861.32 estimated cost for a sewer main extension along NE 7th Pl. between Field Ave. NE and Hoquiam Ave. NE to serve their property.

The Committee further recommended that Council authorize the preliminary assessment roll to be forwarded to the City Clerk, who will notify the affected property owners. If no protests are received, after construction of the facilities and approval of the final costs, staff shall present the latecomer agreement for final approval by Council and authorize preparation of the final assessment roll and latecomer agreement. In the event there is a protest for valid cause, a public hearing will be held to resolve any issues prior to proceeding with this matter.

MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

SAD: Highlands Water Main Improvements

Utilities Committee Chair Zwicker presented a report recommending concurrence in the staff recommendation that the Highlands Water Main Improvements Special Assessment District No. 0041 be approved. The Special Assessment District will establish new charges for properties in the Renton Highlands, fronting NE Sunset Blvd., Harrington Ave. NE, and NE 9th St., that connects to or gains benefit from the new water mains. In addition, simple interest will accrue at a rate of 5.30 percent for a period of ten (10) years.

The Committee further recommended that the ordinance finalizing the Highlands Water Main Improvements Special Assessment District be presented for first reading.

MOVED BY ZWICKER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See later this page for ordinance.)

Finance Committee

Finance: Vouchers

Finance Committee Chair Persson presented a report recommending approval of Claim Vouchers 283353 - 283692 and three wire transfers totaling \$3,523,743.57; and approval of 121 Payroll Vouchers, one wire transfer, and 817 direct deposits totaling \$2,703,784.28. MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

RESOLUTIONS AND ORDINANCES

RESOLUTION #4006

Utility: Opportunity Fund Projects, King County Flood Control Zone District

A resolution was read authorizing the Mayor and City Clerk to enter into an interlocal agreement with the King County Flood Control Zone District for Opportunity Fund projects. MOVED BY ZWICKER, SECONDED BY PARKER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 6/8/2009 for second and final reading:

Legal: Automated Traffic Safety Camera Signage

An ordinance was read amending Chapter 12, Traffic Code, of Title X (Traffic) of City Code, to add a new subsection requiring the placement of signs where a driver is entering a zone where traffic laws are enforced by an automated traffic safety camera. MOVED BY TAYLOR, SECONDED BY PALMER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/8/2009. CARRIED.

SAD: Highlands Water Main Improvements

An ordinance was read establishing a special assessment district for the Highlands Water Main Improvements project and providing for the collection of special assessments upon certain properties receiving benefits from the improvements. MOVED BY ZWICKER, SECONDED BY PARKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 6/8/2009. CARRIED.

The following ordinance was presented for first reading and advanced for second and final reading:

Solid Waste: Waste Management Rates for Multi-Family Units

An ordinance was read amending Chapter 1, Garbage, of Title VIII (Health and Sanitation) of City Code, related to year 2009 services and utility rates for multi-family commercial customers. MOVED BY ZWICKER, SECONDED BY PALMER, COUNCIL ADVANCE THE ORDINANCE FOR SECOND AND FINAL READING. CARRIED.

ORDINANCE #5458

Solid Waste: Waste Management Rates for Multi-Family Units

Following second and final reading of the above-referenced ordinance, it was MOVED BY ZWICKER, SECONDED BY PARKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

The following ordinances were presented for second and final reading and adoption:

ORDINANCE #5459

Annexation: Shamrock,
NE 10th St & Jericho Pl NE

An ordinance was read annexing approximately 124 acres of property generally located south of NE 10th St. and east of Jericho Pl. NE; Shamrock Annexation. MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

ORDINANCE #5460

Annexation: Shamrock, R-4
Zoning

An ordinance was read establishing the zoning classification for approximately 124 acres, south of NE 10th St. and east of Jericho Pl. NE, annexed within the City of Renton from R-4 (Urban Residential - four dwelling units per gross acre, King County zoning) to R-4 (Residential - four dwelling units per net acre, Renton zoning); Shamrock Annexation. MOVED BY PARKER, SECONDED BY BRIERE, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

NEW BUSINESS

Transportation: School Zone
Flashing Lights

MOVED BY PALMER, SECONDED BY PERSSON, COUNCIL REFER THE ISSUE OF FLASHING CAUTION LIGHTS IN SCHOOL ZONES TO THE TRANSPORTATION (AVIATION) COMMITTEE. CARRIED.

ADJOURNMENT

MOVED BY PERSSON, SECONDED BY TAYLOR, COUNCIL ADJOURN. CARRIED. Time: 8:14 p.m.

Jason Seth, Deputy City Clerk

Jason Seth, Recorder
June 1, 2009